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AUTHOR Young, Ruth C.; John, Bruce M.
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ABSTRACT

Interviews conducted with 36 farmers and 175 migrant farmworkers in western New York showed a substantial change in the role of the crew leader during the period from 1951, when no federal or state laws regulated crew leader-migrant relations, to 1978, when a complex set of regulations interceded in the relationship. Farmer interviews showed that only one-third used crew leaders; 34 of the 36 farmers reported that either instead of or in addition to working through crew leaders they hired migrant workers individually. Of the migrant workers interviewed, only 42% had worked with a crew leader at some time in the past year. These findings indicated that migrant work under crew leaders had declined by nearly half since 1953, when a study in the same region showed 65% of the farmers using crew leaders and 81% of the migrants working on crews in the past year. The crew leader role had changed qualitatively as well as quantitatively; regulation of migrant employment had changed the patron-client relationship between crew leader and migrant to a written, contractual arrangement with the crew leader no longer in control of worker wages. Correspondingly, the role of the farmer had changed from producer to manager and labor manager; and the responsibility for social and economic needs of the migrant had shifted from the crew leader to the community, the farmer, and the migrant family network. (Author/JH)

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MIGRANT WORKER CREW LEADERS IN WESTERN NEW YORK, 1978

PUBLIC POLICY AND STRUCTURAL CHANGE*

by

Ruth C. Young and Bruce M. John
Department of Rural Sociology
Cornell University
Ithaca N Y. 14853

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ABSTRACT

A study in 1978 of 36 farmers and 175 migrant farmworkers in Western New York showed major changes in the role of the crew leader from earlier studies in the 1950s. Changes in cropping patterns and mechanization of harvesting practices required the use of fewer workers. The onslaught and growth of state and federal regulations covering practices and working conditions of migrant workers drastically changed the role of the crew leader. The roles changed from a patron-client relationship to a more regulated contractual arrangement. Correspondingly, the role of the farmer changed from a producer to a manager where labor management skills are more important. In addition, the responsibility for social and economic needs of the migrant workers generally shifted away from the crew leader to the community, the farmer and relatives of the migrant workers.

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MIGRANT WORKER CREW LEADERS IN WESTERN NEW YORK, 1978: PUBLIC POLICY AND STRUCTURAL CHANGE

Introduction

The period from 1951 to 1978 has seen increasing regulation of crew leader-farmer-migrant worker relations by New York State and the federal government. This has also been a period in which New York State agriculture has undergone many changes in crops and farming practices that have led to decreased use of migrant workers. These sets of influence have not only led to a decrease in the number of workers used in the state, but to a changed relationship. In the early days the crew leader was very powerful and the relationship encompassed not only work-connected matters, but the whole life of the migrant worker while on the road. In 1978 the crew leader plays a much reduced role and his activities are regulated by law to a greater extent. Studies conducted in the early 1950's allow a comparison of the role of the crew leader at that time with the crew leader role today.

The Early Period

The crew leader who hires and organizes migrant workers in the South and transports them to New York State has been recognized as an extremely important influence in the life of the migrant worker, and not always a beneficial one. From the earliest days of migrant work, he played an essential intermediary role between the farmer and his seasonal migrant labor force and his necessary services to both parties led to opportunities for abuses. These have been described in research (Consumer; Nelkin),

in the press, in documentary films, and in television programs. A 1951 study in New York states the case as follows:

> "To the workers the crew leader represents the person in authority, the arbitrator of disputes, the father protector, to whom they can turn in case of need. All sorts of problems from minor disputes to major illnesses or family troubles are frequently dumped in the lap of the crew leader; how well he handles this part of his responsibilities depends on the caliber of the man involved. Very often the crew leader is called upon to advance money to the workers for food or other essentials when they are waiting around for work. Sometimes he takes the workers to town to do shopping or go to the movies." (Consumer, p. 7)

The same study goes on to describe abuses: "Because there is no regulation of the activities of crew leaders at the present time, many practices and abuses have arisen which lead to exploitation of crew members." (p. 10). Among the abuses described were withholding of wage information, and the requiring of excessive or unjustified payments for such things as transportation, camp maintenance and camp facilities. "...Workers frequently (p. 10) mentioned charges for transportation, fuel, rent and maintenance that they had not been told about before coming to the job." This happened despite the fact that growers frequently made no charges for these services and facilities.

In this same study, 30 out of 46 camps interviewed in New York State, or 65 percent, used crew leaders. Of the 39 crew leaders used in these 46 camps 37, or 95 percent, of them supervised field work; 87 percent provided transportation to New York State, and 54 percent provided daily transportation to the fields. Other services provided were paying workers, managing

the camp, running concessions, counting workers' pickings and trucking crops for the farmer.

[Table 1 about here]

In 1953 a survey of migrant workers in New York State was conducted that found that only 19 percent of the 356 workers had done no work on crews supervised by a crew leader in the past 12 months, 19 percent did all their work in the past twelve months on crews, and 62 worked with crews some of the time (Motheral, et al.). A 1952 study (Metzler) of the Atlantic coast labor stream focused on a Florida county from which migrants started North and found that 67 percent of the migrants went north with crews, and the more recent the year in which the migrant had begun such work, the more likely he was to do so with a crew. Of those who went to New York, three fourths were crew members. This varied from 77 percent of those starting from 1949 on, to 38 percent of those who had begun such work before 1935. In a 1957 study (Larson & Sharp), 23 percent of the group arriving in New York State in June had done no crop work under a crew leader and 19 percent of the group arriving in midseason. In summary of the state of affairs in the early 1950's, most farms used crew leaders and most migrants worked with crew leaders for some part of the year. The relations between the migrant worker and the crew leader were very extensive, covered working relations, pay, as well as many of the social aspects of life, and these relations were not regulated by any government body or even documented on paper. Early studies describe the abuses that followed, detrimental to both the migrant and the farmer.

The relationship of that era can be described as a patron-client relation. Kaufman (R. Kaufman) states that this concept has been increasingly employed in the study of political life in Southeast Asia and Africa

as well as Latin America to describe one type of interpersonal exchange. He states that this relationship is distinguishable by three characteristics:

"(a) The relationship occurs between actors of unequal power and status.

(b) It is based on the principle of reciprocity; that is, it is a self-regulating form of interpersonal exchange, the maintenance of which depends on the return that each actor expects to obtain by rendering goods and services to the other and which ceases once the expected rewards fail to materialize.

(c) The relationship is particularistic and private, anchored only loosely in the public law or community norms."

In 1954, New York State instituted registration of crew leaders. The first Federal Farm Labor Contractor Registration Act became effective on January 1, 1965. The New York State regulations have been expanded and amended many times since 1954 (Fisher). The first law requiring registration of crew leaders in the federal Farm Labor Contractor Registration Act of 1963 was amended in December 1974 and again since then. This legislation and the regulations that interpret it have brought much order and visibility to farmer-crew leader-migrant relations. For example, the instructions to crew leaders and contractors in New York State in July 1963 described the process of registration of crew leaders and stated that information on wages, housing and working conditions must be given to migrants before coming to the state, and that payroll and wage information must be kept and held ready for inspection on each migrant and that each migrant must have a written copy of his wages and hours. Regulations and

laws continue to be discussed and amended (NY State booklet). These steps have been designed to make the relationship more contractual, more open, better understood by all participants, to make the situation less abusive for the workers, and more predictable to farmers so that they could count on a steady supply of competent workers.

These public policies and their implementation have meant substantial change in farmer-crew leader-migrant relations. Changes in such relations are by no means confined to these policy changes. Over the period from 1957 to 1978 the number of interstate migrant farmworkers in the state has changed from between 28.3 thousand to 7.6 thousand workers in the peak period of each year.[1] Mechanization, herbicides and specialization have eliminated many seasonal farm jobs. Some crops heretofore raised have been phased out in New York State. All of this vast array of changes in crops and in farming practices has meant reduction in the need for workers, smaller seasonal groups per farm and a shortening of the season for which they are needed. Also, migrant workers have become specialized into various types of crops. Another change has been increased use of local seasonal labor. At the same time costs of transportation have gone up. It is now less profitable overall for a crew leader to operate a crew and when he does, he operates under many legal restraints that eliminate many unfair sources of income formerly available to him.

The Present

A survey of migrant farm workers in western New York in the summer of 1978 shows how these changes in crew leader regulation and in farming practices and operations in the state have changed crew leader roles. A 25 percent sample of migrant camps in western New York (see map) was

stratified by crop and ethnic group. This resulted in a sample of 57 camps. There was a loss of thirteen camps due to farmer refusals, and this included all four of the sample camps in Wyoming County. Wyoming County is the only remaining county in New York where the crew leader makes a contract with the farmer to provide machinery, equipment and workers, and perform the whole task of harvesting potatoes and getting them ready for marketing. In other camps in the state, the farmers, for the most part, pay workers directly and no such overall contract exists. Therefore this particular case loss in an area where quite different relations prevail means that really nothing can be said about this county that is so distinctive.

Within each camp 33 percent of the migrants appearing on employment lists were drawn in the sample. Case loss among the migrant workers was small. This resulted in 175 useable interviews.

A survey of the farmers was also conducted at the time when permission was sought to enter the farm for interviewing. This provided another level of information to be used in conjunction with that provided by migrants.

The interview with the 36 farmers who cooperated in the study revealed that 34 percent of them use at least one crew leader, and 1 farmer used four. In addition, our interviewers reported that some farmers worked informally through a migrant worker supervisor who was not registered as a crew leader. Thirty-four farmers (94 percent) reported that either instead of or in addition to working through crew leaders they hired migrant workers individually. Thus only about a third of the farmers reported using crew leaders, and very few dealt exclusively through crew leaders. This is a clear contrast with the 65 percent of the camps reporting the use of crew leaders in the 1951 study (Consumer).

The length of time the farmers have dealt with the present crew leaders varies greatly. Two farmers had dealt with their crew leader for only one year, 1 for three years, 2 for five years, and 5 for ten years or more, including one for 25 years and one for 28 years. While the crew leader plays a role in only about a third of the farms, when he does so his relationship with the farmer can be an enduring one.

Information provided by the migrant survey provided a similar contrast with earlier practices. In the 1978 study 42 percent of the migrants reported working with a crew leader at some time in the past year, and 63 percent reported working with a crew leader at some time in their lives. In the 1953 study a total of 81 percent of the workers had worked on crews in the past 12 months, or about twice the 1978 rate (Motheral). The Metzler study of 1952 showed that 67 percent of the migrants he interviewed in Florida went north as members of crews. In 1957 Larson and Sharp study reported that 77 percent of the early season workers had worked under a crew leader in the last twelve months and 81 percent of the midseason arrivals. All of these reports tend to confirm the fact that migrant work under crew leaders has declined by nearly half.

Over and above this decline in use of crew leaders, more importantly the entire relationship between crew leader, worker and farmer has changed since the early days. Early studies document the inclusive nature of the relationship between migrant and crew leader either directly or through state employment services, where the crew leader operated more like a contractor; essentially he contracted with farmers to provide migrant services, and he negotiated with the migrants as if he were the employer. Table 1 shows the functions performed by crew leaders as reported in the 1951 study of crew leaders. The most important change may be that at that time the crew chief paid the worker in seventy-five percent of the cases.

In addition, he always did the recruiting of labor on the crew, in a majority of cases supervised field work, transported workers North in a bus or truck, managed the camp, ran concessions for food and the like, counted workers' pickings, provided daily transportation to the fields, and about half of the time trucked crops for the farmer. At that time there was no state or federal regulation, no contracts in writing were required, and migrants did not have wages and hours provided in writing, often did not know what they were, and received money from the crew chief with little way of knowing whether it was the correct amount. The 1953 study provided similar information. It stated that while crew leader functions varied greatly, the basic ones were recruitment of workers, transportation north and return, arrangement with growers for employment, and supervision of their work. One of the leader's functions was to decide who went and who did not, a crucial decision. Crew leaders usually found it necessary to lend the workers money to last until the first pay day and thus obligated them to remain with him. The crew leader often managed the camp. Ordinarily he transported the crew to the field. He supervised work, kept track of work done, units harvested, and usually paid the crew or if he did not the farmer paid them on the basis of the crew leader's records. The crew leader ordinarily had sole authority to discharge workers. He often managed a commissary and transported workers to town for shopping and other services. He also performed other jobs for the farmer, such as trucking and hauling (Metzler, pp. 59-60).

Larson states that in 1959 a study of 45 crew leaders in New York revealed that about two-thirds transported their crew from location to location, and a larger percentage, 82 percent, transported the crew from camp to field.

By 1978 the situation was vastly different. First and foremost, crew leaders no longer pay migrants. Migrants are paid directly by farmers and by law receive a written statement of wages, hours and rates of pay. This signals an array of other changes in the relationship. Migrants were asked in the 1978 study who decided where to work, who supervised their work, who provided interstate and local transportation and paid for it, and who loaned money to them. Table 2 shows that only in about a fifth of the cases does the crew leader decide where to work, or supervise the work.

[Table 2 about here]

In fewer instances he organizes the interstate travel or transports the crew. This is seldom in a truck or bus. He seldom advances money for travel or provides it free. He seldom loans money to the migrants. All of these services are now either taken care of directly by the farmer or his foreman, or more often by the migrants themselves or their friends and relatives. At present the farmer loans the migrants money more often than crew leaders do (31 percent for farmers or company employing, 14 percent for crew leader), and some social programs such as Food Stamps also help to fill this need. The employer advances transportation money more often than the crew chief though still for only 10 percent of the workers. Crew leaders still sometimes run the food concession in the camp. The migrant now has a formal contract with the crew leader and the farmer and this relationship is mainly confined to the work situation. Even this relationship is much more limited than formerly and is documented and open to inspection by law. For other problems--interstate and local transportation, loan and advancement of money--the migrant relies on his own or his family and friends' resources, or in some cases the farmer and only a minority of the time the crew leader. Social agencies also help out on these services,

and particularly so in emergencies when formerly the migrant would have had to rely on the crew leader.

Crew leaders still exist and play a role in migrants' lives. Sixty-three percent of them stated that they had worked with a crew leader at some time in their lives. We tested the hypothesis that working with a crew leader was a means of introduction to migrant work by seeing whether migrants worked with a crew leader more often when they were younger, as was the case in the earlier studies. This no longer is true; all ages are equally likely to come with a crew leader. It is apparently more a matter of preference if a group decides to travel and work together with a crew leader.

Discussion

In the period from 1951, when no federal or state laws regulated crew leader migrant relations, to 1978 when both federal and state laws and a complex set of regulations intercede in the relationship, the role of the crew leader has changed quantitatively and above all qualitatively. He less frequently figures in the migrants' lives. When he does, he plays a very different role. In the early period it was described as a patron-client relationship. The crew leader had great power over the life of the migrant who could only move North with difficulty if he did not join a crew. The crew leader decided on whether he could work and where, and made decisions and exerted power over virtually every aspect of his existence as a migrant worker. Nothing was on paper and no one interceded in the migrant's behalf. No social or governmental agencies existed to cope with his emergencies and supervise facilities and relationships; all relationships were personal, informal, unwritten, with the crew leader making all the decisions.

The relationship is now contractual. It is written, supervised by government agencies who interpret and administer the law. The crew leader-migrant relationship is much more circumscribed. The crew leader has little power over the work situation; he no longer has the purse strings. He has comparatively little to do with the worker's life aside from the immediate working situation.

These changed relationships between the crew leader and the workers have also meant changes in the relation between the farmer and his workers. He must now perform personnel management functions heretofore performed by the crew leader, and he must keep careful accounts of work performed and wages paid. This is a more rational way to conduct business, but certainly as complex as before. It also means that community, state and federal agencies have responsibility to assist migrant workers in their social economic problems in place of the crew leader, and there clearly is a wide network of agencies in this area trying to assist migrants.

Law and the public policies that led to the legislation and that have influenced its administration have had influence on this change from personal and informal to contractual relationships. These policy-induced changes are a success story. But the question remains as to the extent to which this success was made possible by the changes in the farming situation that took place at the same time. In 1957 Larson and Sharp reported that the most important change since 1953 in New York State was mechanization (Larson & Sharp). By 1978 harvesting of some crops that formerly employed migrant workers was totally mechanical. Herbicides eliminated other jobs. Other crops moved entirely to another state. Use of migrant labor was dramatically reduced in number and the season was much shorter. Local seasonal labor was used increasingly. All of these pressures, together

with rising costs of transportation meant smaller crews, shorter seasons, and less profit in acting as a crew chief. Added to these reasons are a much more circumscribed role and government regulation of much of the relationship. It is probably not possible to go beyond saying that these two sets of influences reinforced each other in changing the role of the crew leader. But it may be that without the public policy efforts and the government regulation that the use of migrants would have declined much more precipitately and that regulation of these relationships have helped to stabilize a labor supply that is still of vital importance to many New York farming operations and that still provides an important source of income for those participating in this kind of seasonal farm work.

TABLE 1

SERVICES PERFORMED BY CREW LEADERS, 1951

Service	No. Performing
Recruiting labor for farmer	39
Supervising work in fields	37
Transporting workers north	34
Paying workers	29*
Managing camp	26
Running concessions	22**
Counting workers' pickings	22
Daily transportation to fields	21
Trucking crops for farmer	18

*In 3 cases, workers employed both in fields and in packing plants were paid by the crew leader only for work in the fields and were paid by the company for work in the plant.

**"Running concessions" includes any "service" for which the crew leader received payment from the workers and covers furnishing meals as well as such things as running camp stores, juke boxes, and selling drinks.

SOURCE: Consumer's League of New York, MIGRANT FARM WORKERS IN NEW YORK STATE. Report prepared by Mabel Lewis Hopper and Marjorie Cantor. (New York: Consumer's League of New York), 1953.

TABLE 2

ROLE OF THE CREW LEADER IN MIGRANT'S PRESENT NEW YORK WORK, 1978

Functions of Crew Leader	Migrants for Whom Crew Leader Provides Service	
	Number	Percent*
Decides which farm to work on	40	23
Supervises farm work	37	21
Traveled to present job with migrants or organized bus or truck	31	18
Advanced money for travel to N.Y.	7	4
Provided travel to N.Y. free	9	5
Loaned money to workers while they waited to begin work	9	5
Provides transportation from camp to field	25	14
Provides free transport to health clinic	25	14
to food shopping	16	9
to other shopping	14	8
Provides transport and charges for it:		
to health clinic	2	1
to food shopping	1	1
to other shopping	2	1
Migrants who worked with a crew leader this year**	74	42
Migrants who have ever worked with a crew leader**	110	63

*175 migrants = 100 percent.
**3 were crew leaders.

MAP I

COUNTIES IN WHICH THE SAMPLED FARMS WERE LOCATED

The sampling area consists of counties west of the black line. Shaded counties contain camps that actually were drawn as part of the sample.

(Numbers indicate number of migrant labor camps under permit, by county, 1977. Total number = 515 camps.)

FOOTNOTE AND REFERENCES

[1]The source of information is (Economic Section) Manpower Services Division, New York State Department of Labor, Rochester, New York, December 1978.

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